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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,883	01/31/2001	Seiji Fujiwara	33216M067	2064

7590 10/08/2003

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Suite 800  
1850 M Street, N.W.  
Washington, DC 20036

EXAMINER
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SHINGLETON, MICHAEL B

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09-772,883

Applicant(s)

Fujisawa et al.

Examiner

SHINGLETON

Group Art Unit

2817

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE Three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- ☒ Responsive to communication(s) filed on the RCE of 9-30-2003
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-15 is/are pending in the application.
- Of the above claim(s) 4, 5, 8 is/are withdrawn from consideration.
- ☒ Claim(s) 1-3, 6, 7, 9-14 is/are allowed.
- ☒ Claim(s) 15, 16 is/are rejected.
- ☐ Claim(s) is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

Office Action Summary

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 15 and 16 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Miguelez et al. 6,107,877 (Miguelez).

Figures 6 and 7 of Miguelez discloses a predistortion circuit 100 having an input terminal (Either of the nodes of the capacitor 102) for inputting a predetermined signal 101, a non-linear device i.e. diode 109 directly or indirectly connected to the input terminal, a bias supply circuit (See Figure 7) that applies a voltage to the non-linear device (Also see column 9, lines 17 and 18) and a “specific” frequency suppressing means i.e. capacitor 111 connected to one side or both sides of the non-linear device 109 directly without another intervening device and of suppressing all or part of such frequencies that are from a frequency corresponding to DC to a frequency corresponding to an occupied bandwidth of an input signal inputted to the input terminal and/or suppressing at least one higher harmonic frequency of a carrier wave of the input signal. Figure 6 of Miguelez also clearly shows an output terminal that is either of the nodes of the capacitor 113. Figure 6 of Miguelez clearly shows the non-linear device provided between the connection point between the input terminal and the output terminal, and ground. Note the abstract of Miguelez that clearly recites connecting this preamplifier to an RF amplifier that is a “power amplifier”. As it relates to newly presented claim 12, the circuit elements that compose the specific-frequency suppressing means are lumped parameter elements (Note the use of surface mount components recited in column 10 lines 4 and 41.)

Claims 1-3, 6, 7 and 9-14 are allowable. Note that the non-elected claims remain non-elected at this time but will be allowed at time of allowance should these claims be dependent upon the claims allowed and there are no outstanding issues with these claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael B. Shingleton whose telephone number is 703-308-4903. The examiner can normally be reached on Mon-Thurs from 8:30 to 4:30. The examiner can also be reached on alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal, can be reached on (703) 308-4909. The fax phone number for the organization where this application or proceeding is assigned is 703-308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

MBS  
October 31, 2002  
April 18, 2003  
  
Sept 30, 2003

*Miles B. Jhu*  
Miles B. Jhu  
10/31/2002  
10/31/2002  
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